

REGULAR MEETING

JUNE 4, 1998

The Ashland Board of Commissioners met in Regular Session in the Commission Chambers, City Building, Ashland, Kentucky, on Thursday, June 4, 1998, at the hour of 7:00 PM. Those present were Commissioners: Norman "Dutch" Berry, Kevin Gunderson, Paul Reeves, Michael Stewart and Mayor A. R. Dunnigan, who presided. Also present were: William H. Fisher, Jr., City Manager; Richard W. Martin, Corporation Counsel; Kevin P. Sinnette, Assistant Corporation Counsel; Deborah D. Musser, City Clerk; Gary Watts, Fire Chief; Ronald W. McBride, Chief of Police; Tony Grubb, Finance Director; Joseph P. Harris, Director of Public Services; Amanda Sinnette, Economic Development Director; Marion Russell, Assistant Director of Public Services; Michelle Veach, Assistant Finance Director; Lt. Charles Carter, Ashland Police Department; Larry Brown, Political Candidate and Reporters.

The Invocation was given by Mayor Dunnigan.

The Pledge of Allegiance was conducted.

AGENDA

City Manager Fisher presented the agenda of June 4, 1998. Motion was made by Reeves, seconded by Gunderson, to receive and file the agenda. Upon roll call, voting aye were Commissioners Berry, Reeves, Gunderson, Stewart and Mayor Dunnigan. Nay - none. Motion passed.

HEARINGS AND REPORTS

City Manager's Report -

- (1) Director of Public Services Harris presented a list of streets to be added to the paving list. In addition, Commissioners requested Pleasant Avenue and the alley between Highland & Forgey be listed. Motion was made by Stewart, seconded by Reeves, to approve the paving list with the additions. Upon roll call, voting aye were Commissioners Berry, Reeves, Gunderson, Stewart and Mayor Dunnigan. Nay - none. Motion passed.
- (2) Bruce Craft advised the Kentucky Senior USTA Tournament is underway in Central Park and requested extension of the curfew. Motion was made by Stewart, seconded by Berry, to approve the request. Upon roll call, voting aye were Commissioners Berry, Reeves, Gunderson, Stewart and Mayor Dunnigan. Nay - none. Motion passed.

ORDINANCE NO. 54, 1998

SECOND AN ORDINANCE OF THE CITY OF ASHLAND,
READING KENTUCKY, AUTHORIZING AND
DIRECTING A. R. **AND** DUNNIGAN, MAYOR,
TO EXECUTE AN AGREEMENT **FINAL** WITH
ASHLAND SCHOOL OF BEAUTY CULTURE
ADOPTION REGARDING PLACEMENT OF A
CONCRETE STOOP AT THE 17TH STREET ENTRANCE

REGULAR MEETING JUNE 4, 1998
ORDINANCE NO. 54, 1998 CONTINUED

SECTION 2. All ordinances and parts of ordinances in conflict herewith, to the extent of such conflict only, are hereby repealed.

SECTION 3. This ordinance shall be in full force and effect from and after its adoption, readoption and publication, as required by law.

SECTION 4. It is hereby authorized that publication of this ordinance be in summary form.

/s/A. R. DUNNIGAN
MAYOR

ATTEST:

/s/DEBORAH D. MUSSER
CITY CLERK

ADOPTED BY THE BOARD OF COMMISSIONERS: May 20, 1998
READOPTED BY THE BOARD OF COMMISSIONERS: June 4, 1998
PUBLISHED:

MOTION:

Motion was made by Reeves, seconded by Gunderson, to adopt Ordinance No. 54, 1998, at this its second reading. Upon roll call, voting aye were Commissioners Berry, Reeves, Gunderson, Stewart and Mayor Dunnigan. Nay - none. Motion passed.

RESOLUTION NO. 15, 1998

A RESOLUTION OF THE CITY OF ASHLAND, KENTUCKY, ADOPTING, AUTHORIZING AND APPROVING THE COURSE OF ACTION RECOMMENDED BY THE CITY MANAGER ON THE ITEMS APPEARING ON THE CONSENT AGENDA FOR THE REGULAR MEETING OF THE BOARD OF CITY COMMISSIONERS OF **JUNE 4, 1998.**

* * * * *

BE IT RESOLVED BY THE CITY OF ASHLAND, KENTUCKY:

SECTION 1. The Board of City Commissioners hereby adopts, authorizes and approves the action recommended by the City Manager on each item appearing on the "Consent Agenda" for the meeting of **June 4, 1998.** Attached hereto and incorporated herein, as if set out in full, is a copy of the "Consent Agenda" hereby adopted, authorized and approved.

SECTION 2. This resolution shall be in full force and effect from and after its adoption, as required by law.

/s/A. R. DUNNIGAN
MAYOR

REGULAR MEETING JUNE 4, 1998
RESOLUTION NO. 15, 1998 CONTINUED

MOTION:

Motion was made by Stewart, seconded by Gunderson, to vote on item (d) separately. Upon roll call, voting aye were Commissioners Berry, Reeves, Gunderson, Stewart and Mayor Dunnigan. Nay - none. Motion passed.

MOTION:

Motion was made by Reeves, seconded by Berry, to vote on item (e) separately. Upon roll call, voting aye were Commissioners Berry, Reeves, Gunderson, Stewart and Mayor Dunnigan. Nay - none. Motion passed.

VOTE ON ITEMS (a), (b), (c) and (f):

Upon roll call, voting aye were Commissioners Berry, Reeves, Gunderson, Stewart and Mayor Dunnigan. Nay - none. Motion passed.

MOTION:

Motion was made by Reeves, seconded by Berry, to approve item (d). Upon roll call, voting aye were Commissioners Berry, Reeves, Gunderson and Mayor Dunnigan. Nay - Commissioner Stewart. Motion passed.

MOTION:

Motion was made by Stewart, seconded by Dunnigan, to approve item (e). Upon roll call, voting aye were Commissioner Stewart and Mayor Dunnigan. Nay - Commissioners Berry, Reeves and Gunderson. Motion failed.

MOTION:

Motion was made by Stewart, seconded by Berry, to table any further action on the landfill. Upon roll call, voting aye were Commissioners Berry, Reeves, Gunderson and Stewart. Nay - Mayor Dunnigan. Motion passed.

ORDINANCE NO. _____, 1998

FIRST AN ORDINANCE OF THE CITY OF ASHLAND, **READING**
KENTUCKY, AUTHORIZING AND DIRECTING
A. R. **AND** DUNNIGAN, MAYOR, TO
EXECUTE AN AGREEMENT **ADOPTION** WITH
BLUEGRASS FAMILY MEDICINE REGARDING
ONLY A PARKING ENCROACHMENT AT 2025 CARTER
AVENUE ON THE CITY'S RIGHT-OF-WAY.

MOTION:

Motion was made by Stewart, seconded by Gunderson, to adopt Ordinance No. _____, 1998

REFERRED TO AS THE "ZONING ORDINANCE" AND
REPEALING ORDINANCE NO. 71, SERIES OF 1988, AS
PREVIOUSLY AMENDED BY ORDINANCE NO. 3,
SERIES OF 1995.

REGULAR MEETING JUNE 4, 1998
ORDINANCE NO. _____, 1998 CONTINUED

MOTION:

Motion was made by Reeves, seconded by Gunderson, to adopt Ordinance No. _____, 1998 at this its first reading. Upon roll call, voting aye were Commissioners Berry, Reeves, Gunderson, Stewart and Mayor Dunnigan. Nay - none. Motion passed.

ORDINANCE NO. _____, 1998

FIRST AN ORDINANCE OF THE CITY OF ASHLAND, **READING**
KENTUCKY, AUTHORIZING AND DIRECTING
A. R. **AND** DUNNIGAN, MAYOR, TO
EXECUTE A CONTRACT **ADOPTION** WITH
STEPHENS CONTRACTING, INC. D/B/A **ONLY**
STEPHENS HAULING FOR THE REMOVAL AND
DISPOSAL OF SLUDGE FOR A PERIOD OF THREE
YEARS FOR THE CITY OF ASHLAND, DEPARTMENT
OF PUBLIC SERVICES, DIVISION OF WASTEWATER
TREATMENT AT THE PRICES SPECIFIED IN THEIR
BID AND REPEALING ORDINANCE NO. 52, SERIES OF
1998.

MOTION:

Motion was made by Stewart, seconded by Reeves, to adopt Ordinance No. _____, 1998 at this its first reading. Upon roll call, voting aye were Commissioners Berry, Reeves, Gunderson, Stewart and Mayor Dunnigan. Nay - none. Motion passed.

RESOLUTION NO. 16, 1998

A RESOLUTION OF THE CITY OF ASHLAND,
KENTUCKY, ACCEPTING THE PLANNING
COMMISSION RECOMMENDATION TO DENY A
PETITION TO AMEND THE OFFICIAL ZONING MAP
BY REZONING A LOT ON 13TH STREET BETWEEN
SHELBY AND ASHWORTH STREETS FROM R-12
RESIDENTIAL TO B-2 BUSINESS.

* * * * *

WHEREAS, the Ashland Planning Commission received a petition from David Young to amend the Official Zoning Map of the City from R-12 Residential to B-2 Business a lot on 13th Street between Shelby and Ashworth Streets (Case No. 951); and

WHEREAS, the Ashland Planning Commission held a duly advertised and conducted public hearing on May 19, 1998, in regard to said petition, and subsequently

CITY CLERK

ADOPTED BY THE BOARD OF COMMISSIONERS: June 4, 1998

REGULAR MEETING JUNE 4, 1998
RESOLUTION NO. 16, 1998 CONTINUED

MOTION:

Motion was made by Gunderson, seconded by Reeves, to adopt Resolution No. 16, 1998.

DISCUSSION:

David Young, 3200 Newman Street, appeared before the Commission on behalf of his request to rezone the lot on 13th Street. Mr. Young explained his intentions to replace the current 12 x 24 sign with 2 12 x 24 faces on the side coming into Ashland and 1 12 x 24 facing the street going out of Ashland. He presented pictures and maps showing the billboard in place prior to 1950. Mr. Young defended the rezoning based on meeting the condition of major economic change in the area and that the lot was zoned inappropriately in the first place.

A petition was presented by residents in opposition to the zoning change. The following addressed the Commission in opposition:

Shane McCaslin, 816 Ashland Avenue on behalf of his grandmother, Vivian Smith of 3225 Ashworth Street.

Glen Dooley, 810 Clara Street
Tom Hilgendorf, 1000 Shelby Avenue
Orville Henderson, 3215 Ashworth
Greg Neese, 3384 Morgan Avenue

VOTE ON MOTION:

Upon roll call, voting aye were Commissioners Berry, Reeves, Gunderson, Stewart and Mayor Dunnigan. Nay - none. Motion passed.

DISCUSSION ITEMS

Request for limited use of public right-of-way at 925 Greenup Avenue by Susanna Davis - Motion was made by Reeves, seconded by Stewart, authorizing the preparation of an ordinance. Upon roll call, voting aye were Commissioners Berry, Reeves, Gunderson, Stewart and Mayor Dunnigan. Nay - none. Motion passed.

RECESS:

Mayor Dunnigan declared the meeting recessed at 8:15 PM until June 9, 1998 at 6:00 PM.
